

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LINNIELL PHIPPS,

Plaintiff,

V

ELDON VAIL et al.

Defendant.

CASE NO. C11-5093-BHS-JRC

ORDER REQUESTING
ADDITIONAL BRIEFING AND
GRANTING DEFENDANTS'
MOTION TO STAY DISCOVERY

This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned

Magistrate Judge pursuant to 28 U.S.C. §§ 636 (b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1, MJR 3, and MJR 4. Defendants have moved for summary judgment and plaintiff has responded and filed a “supplemental response.” (ECF No. 30, 33, and 36).

Plaintiff states that “Plaintiff and prisoners who participated in the Islamic Ritual of 2010 did not receive all the food item’s[sic] on the Halal Ramadan food menu in the two cold meal bags.” He goes on to state that he did not receive boiling water to prepare

1 the oatmeal packet and he states that the meat in the bags was not "halal meat product."
2 (ECF No. 33, page 6).

3 The Court requires additional briefing on this issue. Plaintiff will have until
4 October 28, 2011, to file and serve a document that fully advises the Court and
5 defendants what items he alleges were missing from the meal bags and why he alleges
6 the meat product was not halal. Defendants will then have until November 18, 2011 to
7 file a pleading that responds. Defendants should address if the items were missing, and if
8 so, what difference it would have made to the number of calories provided and whether
9 the meal that was provided meets guidelines for daily caloric intake.
10

11 The motion for summary judgment will be considered as soon as the briefing is
12 filed. The motion to stay discovery is granted.

13 Dated this 11th day of October, 2011.

14 
15 J. Richard Creatura
16 United States Magistrate Judge
17
18
19
20
21
22
23
24